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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,400	01/02/2004	Kohji Yoshie	02860.0760	2870
22852 7590 02/20/2007 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER GATES, ERIC ANDREW	
			ART UNIT 3722	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/20/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/749,400

Applicant(s)

YOSHIE ET AL.

Examiner

Eric A. Gates

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to Applicant's amendment filed on 1 December 2006.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 5, 6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Itoh et al. (U.S. Patent 6,685,416) in view of Okino (U.S. Patent 6,215,564).
4. Regarding claim 1, Itoh et al. discloses a pasting and bookbinding apparatus, comprising: a sheet bundle loading device 24 for positioning sheets and stacking the positioned sheets thereon; a holding device 22/25 for holding a sheet bundle A stacked on the sheet bundle loading device 24 and transporting the sheet bundle; a sheet bundle transporting device 54 for receiving the sheet bundle transported by the holding device 22/25 and interposing the sheet bundle to an upright position; a paste coating device 60 for coating paste 61 on a back portion of the sheet bundle interposed and positioned upright by the sheet bundle transporting device 54; a cover supplying device 70 for supplying a cover sheet B; a cover pasting device 90 (portion 8) for pressing and

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pasting the cover sheet supplied from the cover supplying device against the paste-coated back portion of the sheet bundle; a cover folding device 90 (portion 9) for folding the cover sheet pasted on the sheet bundle by the cover pasting device along an edge portion of the paste-coated surface of the sheet bundle; the sheet bundle loading device, the sheet bundle transporting device, the paste coating device, the cover supplying device, the cover pasting device, the cover folding device, each of which are arranged in a longitudinal line in a vertical direction (these devices are each arranged individually in any longitudinal line in a vertical direction, as required by the current claim language); and an elevating device 95 for moving the cover pasting device and the cover folding device in the vertical direction.

Itoh et al. does not disclose a front door for opening and closing a front side of a main body of the pasting and bookbinding apparatus, wherein respective front sides of the sheet bundle loading device, the sheet bundle transporting device, the paste coating device, the cover supplying device, the cover pasting device, and the cover folding device, can be opened or closed. Okino teaches the use of a door 13 for an image recording device 10 that is used for the purpose of exposing the interior of the device. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the apparatus of Itoh et al. with the door of Okino in order to be able to access the internal devices of the pasting and bookbinding apparatus for repair or maintenance.

Itoh et al. does not disclose that the sheets are ejected from an image forming apparatus. However, the Examiner takes Official Notice that it would have been

obvious to one having ordinary skill in the art at the time the invention was made to have combined the pasting and bookbinding apparatus with an image forming apparatus for the purpose of applying text and/or images to the pages prior to binding in order to have a final book that contains a story and/or pictures.

5. Regarding claim 3, the modified invention of Itoh et al. discloses wherein the elevating device 95 is arranged in a lower portion of the pasting and bookbinding apparatus (as part of bookbinding unit 90, see figure 2).

6. Regarding claim 5, the modified invention of Itoh et al. discloses wherein formation of the sheet bundle A by the paste coating device 60 and bookbinding are carried out at a same location (both operations are performed inside the pasting and bookbinding apparatus), the sheet bundle A is formed by coating paste 61 between the sheets, and a book is bound by wrapping the sheet bundle with the cover sheet B and adhering the cover sheet to the sheet bundle using paste to form a booklet C, the cover sheet including a front cover and a back cover.

7. Regarding claim 6, the modified invention of Itoh et al. discloses wherein the cover folding device 90 forms a booklet by binding a book, the book is bound by wrapping the sheet bundle with the cover sheet and adhering a back portion of the cover sheet to the back portion of the sheet bundle to which paste has been applied, the cover sheet including a front cover surface and a back cover surface (see column 6, lines 5-8).

8. Regarding claim 8, the modified invention of Itoh et al. discloses the invention substantially as claimed, except Itoh et al. does not disclose an image forming system

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comprising: an image forming apparatus main body including an image writing means, an image forming means, and a sheet transporting means. However, the Examiner takes Official Notice that it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the pasting and bookbinding apparatus with an image forming apparatus as described above, which is well known in the art of image forming, for the purpose of applying text and/or images to the pages prior to binding in order to have a final book that contains a story and/or pictures.

9. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Itoh et al. in view of Okino and further in view of Delfer et al. (U.S. Patent 5,754,434).

10. Regarding claim 2, the modified invention of Itoh et al. discloses the invention substantially as claimed, except Coyette does not disclose a sheet ejection device arranged in an upper portion of the main body of the pasting and bookbinding apparatus for directly ejecting a sheet which does not need to be subjected to pasting and bookbinding processing.

Delfer et al. teaches the use of a sheet ejection device (incorporated into region 105, see column 17, lines 54-56) used for the purpose of eliminating any non-desired pages. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the binding apparatus of Coyette with the sheet ejection device of Delfer et al. in order to have a binding apparatus that can discard sheets that are not appropriate for binding.

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11. Regarding claim 4, the modified invention of Itoh et al. discloses a cover transport path (see figure 2) through which the cover sheet supplied from the cover supplying device 70 is transported to the cover pasting device 90. Itoh et al. does not disclose a transporting device including a sheet transport path through which the sheet ejected from the image forming apparatus is transported and fed into the sheet bundle loading device, or a sheet ejection path through which the sheet is transported to the sheet ejection device. However, it would be inherent for there to be a sheet transport path for a sheet ejected from the aforementioned image forming apparatus to arrive at the sheet bundle loading device, which must include some sort of transporting device, and it would be inherent for there to be a sheet ejection path for a sheet to travel to the aforementioned sheet ejection device.

12. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Itoh et al. (U.S. Patent 6,685,416) in view of Okino (U.S. Patent 6,215,564).

13. Regarding claim 9, Itoh et al. discloses a pasting and bookbinding apparatus, comprising: a sheet bundle loading device 24 for stacking a plurality of sheets A; a sheet bundle transporting device 54 having a holding device 51/52 for transporting a sheet bundle including the plurality of sheets stacked on the sheet bundle loading device and holding the sheet bundle at a prescribed position; a paste coating device 60 having a movable paste coating member 64 for coating paste 61 on end surfaces of superposed sheet bundles A held at the prescribed position; wherein the paste coating member 64 stands by at an initial position outside an area of the sheet bundle for a

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maximum-sized sheet (see column 9, lines 4-5), and moves along the end surfaces of the superposed sheet bundle held in an upright position to coat paste during a paste coating processing.

Itoh et al. does not disclose and a front door for opening and closing a front side of a main body of the pasting and bookbinding apparatus, wherein respective front sides of the sheet bundle loading device, the sheet bundle transporting device, and the paste coating device can be opened or closed. Okino teaches the use of a door 13 for an image recording device 10 that is used for the purpose of exposing the interior of the device. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the apparatus of Itoh et al. with the door of Okino in order to be able to access the internal devices of the pasting and bookbinding apparatus for repair or maintenance.

Itoh et al. does not disclose that the sheets are ejected from an image forming apparatus. However, the Examiner takes Official Notice that it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the pasting and bookbinding apparatus with an image forming apparatus for the purpose of applying text and/or images to the pages prior to binding in order to have a final book that contains a story and/or pictures.

14. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Itoh et al. (U.S. Patent 6,685,416) in view of Okino (U.S. Patent 6,215,564).

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15. Regarding claim 10, Itoh et al. discloses a pasting and bookbinding apparatus, comprising: a sheet bundle loading device 24 for stacking a plurality of sheets A; a sheet bundle transporting device 54 having a holding device 51/52 for transporting a sheet bundle including the plurality of sheets stacked on the sheet bundle loading device 24 and holding the sheet bundle at a prescribed position; a paste coating device 61/64 which stands by at an initial position (prior to elevation) outside an area of the sheet bundle in a lateral direction of end surfaces of a superposed maximum-sized sheet bundle, and moves along end faces of the superposed sheet bundle held in an upright position during a paste coating processing; a cover supplying device 70 including cover sheets B which contact the end surface and a back portion of the sheet bundle and supplies; a cover pasting device 90 (portion 8) for bringing the cover sheet in pressure contact with the end surfaces of the superposed sheet bundle to paste the cover sheet; and a cover folding device 90 (portion 9) for folding the cover sheet pasted on the sheet bundle by the cover pasting device along the end faces of the superposed sheet bundle.

Itoh et al. does not disclose and a front door for opening and closing a front side of a main body of the pasting and bookbinding apparatus, wherein respective front sides of the sheet bundle loading device, the sheet bundle transporting device, the paste coating device, the cover supplying device, the cover pasting device, and the cover folding device can be opened or closed. Okino teaches the use of a door 13 for an image recording device 10 that is used for the purpose of exposing the interior of the device. Therefore it would have been obvious to one having ordinary skill in the art at

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the time the invention was made to have combined the apparatus of Itoh et al. with the door of Okino in order to be able to access the internal devices of the pasting and bookbinding apparatus for repair or maintenance.

Itoh et al. does not disclose that the sheets are ejected from an image forming apparatus. However, the Examiner takes Official Notice that it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the pasting and bookbinding apparatus with an image forming apparatus for the purpose of applying text and/or images to the pages prior to binding in order to have a final book that contains a story and/or pictures.

16. Regarding claim 11, the modified invention of Itoh et al. discloses wherein a booklet C formed by the cover folding device 90 is bound by wrapping the sheet bundle A with a front cover surface, a back cover surface, and the end surfaces of the superposed sheet bundle.

Response to Arguments

17. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

18. The indication that claim 7 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims is rescinded due to the amendment made to parent claim 1. The amendment to claim 1 does not require that the elements of the apparatus be arranged in a single longitudinal line in a

vertical direction inside a main body of the pasting and bookbinding apparatus, as required by the original claim 1.

19. For the reasons as set forth above, the rejections are maintained.

Conclusion

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric A. Gates whose telephone number is 571-272-5498. The examiner can normally be reached on Monday-Thursday 7:45-6:15.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica Carter can be reached on 571-272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



EAG
9 February 2007



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